

Appl. No. : **10/680,885**
Filed : **October 7, 2003**

AMENDMENTS TO THE DRAWINGS

Please amend Figure 1 by adding reference numbers "104" and "106". Please also add dashed lines to the left of blocks illustrated by reference numbers "114", "116", and "112".

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REMARKS

With this amendment, Claims 4-8, 19-21 and 24-26 are pending in the present application. Claims 1-3, 9-18, and 22-23 have been canceled. Claims 4, 6-8, 19, 21, 24-26 have been amended. In view of the foregoing amendments and the following remarks, the Applicants respectfully request reconsideration and allowance of the above-referenced application.

Rejections – U.S.C. §102(b) and 103(a)

Claims 1-3 and 9-17 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,871,564 to McCombs (“McCombs”). Claims 22-23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over McCombs. Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over McCombs in view of JP2002231321 to Jidosha. However, the Examiner indicated that Claims 4-8, 19-21 and 24-26 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

While the Applicants respectfully disagree with the foregoing claim rejections, the Applicants have canceled Claims 1-3, 9-18 and 22-23 in the interest in expediting prosecution of this Application. However, the Applicants reserve the right to prosecute these canceled claims at a later time. The Applicants have also amended Claims 4, 19 and 24 so that they are rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicants have further amended Claims 2-3, 10-18 and 23 so that they depend from Claims 4, 19, and 24 respectively.

Allowable Subject Matter

The Applicants appreciate the finding of allowable subject matter in the pending claims. In discussing the allowable subject matter in Claims 4-8, 19-21 and 24-26, the Examiner stated that “the prior art does not disclose a fan that is positioned directly above the compressor that produces an air stream directly against the compressor; plurality of sound absorbing baffles positioned along at least a portion of the airway.”

While advantageous for various embodiments, Applicants note that a fan being positioned directly above the compressor that produces an air stream directly against the compressor or a plurality of sound absorbing baffles positioned along at least a portion of the airway is not required in all claimed embodiments.

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The Applicants assume that, pursuant to M.P.E.P. § 1302.14, the Examiner has stated some, but not all, of the reasons for allowance of the claims and that, as a result, the statements discussed above do not necessarily relate to or completely set out the reasons for allowance of each and every claim. For example, as noted above, not all of the claims indicated to contain allowable subject matter recite sound absorbing baffles. Moreover, Applicants submit that the claims recite additional limitations, which in combination with the features discussed by the Examiner, distinguish the art of record.

CONCLUSION


In view of the foregoing, Applicants respectfully submit that all pending claims of the present application are in condition for allowance, and such action is earnestly solicited. Should there be any impediment to the prompt allowance of this application that could be resolved through a telephone conference, the Examiner is respectfully requested to call the undersigned at the number shown below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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